

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

IN RE:

Ralph and Doris Voyta,

Debtors

Case No.

Chapter 7

MOTION FOR DETERMINATION BY THE COURT

Now comes the Debtor, by and through Counsel, John W. Peterson, and moves this Court for a Determination by the court to exempt the Joint debtor Ralph Voyta from the required Credit Counsel briefing and Debtor Education briefing in the above-cited Bankruptcy proceeding due to incapacity or mental impairment.

The Bankruptcy code requires a Credit Counsel briefing and Debtor Education briefing per 11USC 109(h)(4).

Mr. Ralph Voyta currently suffers mental impairments which leave him unable to make legal or financial decisions by himself, thereby the benefit of taking the Credit Counsel briefing and Debtor Education briefing is negated, and should not be required of Mr. Ralph Voyta.

On April 22, 2014, Mr. Ralph Vovta was examined by Dr. David Taylor from Aurora Health Care. Dr. David Taylor determined Mr. Ralph Voyta lacked

the capacity for decision making for legal, financial, and medical decisions. (see attached letter dated 4/22/14)

On April 24, 2014, Mr. Ralph Voyta was examined by Dr. Jolanta Twardy from Aurora Health Care. Dr. Jolanta Twardy determined Mr. Ralph Voyta met the statutory definition of incapacity. (see attached letter dated 4/24/14).

That Mrs. Doris Voyta, Mr. Voyta's wife of 66 years, also believes Mr. Voyta lacks the capacity for decision making for legal and financial matters.

The movants pray: the court to determine that Mr. Voyta not be required to take the required Credit Counsel briefing and Debtor Education briefing classes.

/s/ John W. Peterson

John W. Peterson
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/s/ Doris M. Voyta

Doris Voyta
Debtor

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

IN RE:

Ralph and Doris Voyta,

Case No.

Debtors

Chapter 7

MOTION TO EXCUSE RALPH VOYTA FOR ATTENDING AND
TESTIFYING AT 341 MEETING OF CREDITORS

Now comes the Debtor, by and through Counsel, John W. Peterson, and moves this Court to excuse the Joint debtor Ralph Voyta from attending and testifying at the 341 meeting of creditors hearing in the above-cited Bankruptcy proceeding.

Mr. Ralph Voyta currently suffers mental impairments which leave him unable to recall financial decisions made by himself, or his current financial situation.

On April 22, 2014, Mr. Ralph Voyta was examined by Dr. David Taylor from Aurora Health Care. Dr. David Taylor determined Mr. Ralph Voyta lacked the capacity for decision making for legal, financial, and medical decisions. (see attached letter dated 4/22/14)

On April 24, 2014, Mr. Ralph Voyta was examined by Dr. Jolanta Twardy from Aurora Health Care. Dr. Jolanta Twardy determined Mr. Ralph Voyta met the statutory definition of incapacity. (see attached letter dated 4/24/14).

Mrs. Doris Voyta, Mr. Voyta's wife of 66 years, also believes Mr. Ralph Voyta lacks the ability to comprehend or recall his legal and financial matters. Mrs. Doris Voyta is aware of the couples financial situation and can testify on his behalf thereto.

The movants pray: the court to allow Doris Voyta to testify as to the couples financial situation at the 341 Meeting of Creditors Meeting.

/s/ John W. Peterson

John W. Peterson
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/s/ Doris M. Voyta

Doris Voyta
Debtor